

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALI EL-KHALIL, D.P.M.,

Plaintiff,

v.

Case No: 18-cv-12759

Hon. Mark A. Goldsmith

Magistrate Judge Anthony P. Patti

ANTHONY TEDESCHI, et al.

Defendants.

**PLAINTIFF'S ANSWER TO DEFENDANT MOHAMMED KHALIL'S
COUNTERCLAIM AGAINST PLAINTIFF**

Plaintiff/Counter-Defendant, Ali El-Khalil through his counsel, Ben M. Gonek, submits the following Answer to Defendant Mohammed Kahlil's Counterclaim Against Plaintiff, as stated below.

COUNTERCLAIM

1. **Admitted.** In response to the allegations set forth, Plaintiff/Counter-Defendant admits the allegations contained therein.
2. **Admitted.** In response to the allegations set forth, Plaintiff/Counter-Defendant admits the allegations contained therein.
3. **Admitted.** In response to the allegations set forth, Plaintiff/Counter-Defendant admits the allegations contained therein.

4. **Admitted.** In response to the allegations set forth, Plaintiff/Counter-Defendant admits the allegations contained therein.
5. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.
6. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

COUNT I
DEFAMATION/SLANDER/DEFAMATION PER SE

7. **Neither admit nor deny.** This paragraph does not require an answer from Plaintiff/Counter-Defendant.
8. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.
9. **Neither admit or deny.** In response to the allegations set forth, Plaintiff/Counter-Defendant neither admits nor denies the allegations contained therein for the reason that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained therein.

10.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

11.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

12.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

13.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

14.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

15.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

16.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

a. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

b. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

c. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

d. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

COUNT II
DEFAMATION PER QUO

17.**Neither admit nor deny.** This paragraph does not require an answer from Plaintiff/Counter-Defendant.

18.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

19.**Neither admit or deny.** In response to the allegations set forth, Plaintiff/Counter-Defendant neither admits nor denies the allegations contained therein for the reason that he does not know what statements Defendant/Counter-Plaintiff is referring to.

20.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

21.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

22.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

23.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

24.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

25.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

a. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

b. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

c. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

d. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

COUNT III
FALSE LIGHT

26.**Neither admit nor deny.** This paragraph does not require an answer from Plaintiff/Counter-Defendant.

27.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

28.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

29.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

30.**Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

a. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

b. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

- c. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.
- d. **Denied.** In response to the allegations set forth, Plaintiff/Counter-Defendant denies the allegations contained therein, in the manner and form alleged, for the same are factually and/or legally untrue.

Respectfully submitted,

BEN GONEK LAW, P.C.

/s/ Ben M. Gonek

Ben M. Gonek (P43716)
Attorney for Plaintiff
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Dated: July 22, 2019

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EASTERN DISTRICT OF MICHIGAN
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PLAINTIFF/COUNTER-DEFENDANT'S AFFIRMATIVE DEFENSES

Plaintiff/Counter-Defendant, Ali El-Khalil through his counsel, Ben M. Gonek, submits the following Affirmative Defenses, as stated below.

1. Defendant/Counter-Plaintiff has failed to state a claim upon which relief can be granted;
2. Plaintiff/Counter-Defendant's statements were privileged;
3. Plaintiff/Counter-Defendant's statements were the truth;
4. Defendant/Counter-Plaintiff's claim is barred because the statements in the complaint are privileged;

Respectfully submitted,

BEN GONEK LAW, P.C.

/s/ Ben M. Gonek

Ben M. Gonek (P43716)

Attorney for Plaintiff

500 Griswold Street, Ste. 2450

Detroit, MI 48226

(313) 963-3377

(313) 963-9310 (fax)

ben@goneklaw.com

Dated: July 22, 2019

CERTIFICATE OF SERVICE

Ben M. Gonek hereby states that on the 22nd day of July 2019, he caused the foregoing Answer to Defendant Mohammed Khalil's Counterclaim Against Plaintiff and Affirmative Defenses to be filed with the Court and that copies of same were forwarded to all counsel of record via the CM/ECF system.

/s/ Ben M. Gonek

Ben M. Gonek